

EXPEDITED PROCEDURE  
GROUP ART UNIT 1636

B  
Baw  
Dkt. 68018/JPW/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ziv Sandalon et al.

Serial No.: 09/068,293 Examiner: D. Guzo

Filed : May 6, 1998 Group Art Unit: 1636

For : IN VITRO CONSTRUCTION OF SV40 VIRUSES AND PSEUDOVIRUSES

1185 Avenue of the Americas  
New York, New York 10036  
July 13, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL COMMUNICATION

This Supplemental Communication is submitted further to July 7, 2004 and July 12, 2004 telephone conferences between Maria Marucci, Esq. of the undersigned attorney's office and Examiner David Guzo of the United States Patent and Trademark Office ("USPTO") in connection with the above-identified application.

**REMARKS**

A response to the January 13, 2004 Final Office Action was due April 13, 2004. Applicants filed a Communication In Response To January 13, 2004 Final Office Action on March 13, 2004. Examiner Guzo issued an Advisory Action on March 31, 2004 in connection

Applicants: Ziv Sandalon et al.  
Serial No.: 09/068,293  
Filed: May 6, 1998  
Page 2

with the subject application. On June 13, 2004 applicants filed an Amendment Further To March 31, 2004 Advisory Action And Petition For Two-Month Extension of Time. Examiner Guzo issued a Proposed Examiner's Amendment on June 29, 2004. The Examiner's proposed amendments were timely authorized by John P. White, Esq. on July 7, 2004.

During a July 7, 2004 telephone conference between Ms. Marucci and Examiner Guzo, the Examiner confirmed receipt of John P. White's authorization of the proposed amendments to the claims. The Examiner stated that he would charge applicants' deposit account for the additional one-month extension of time fee of \$265.00 and issue a Notice of Allowability in connection with the subject application. Ms. Marucci requested a faxed copy of the Notice of Allowability as proof of allowance of the application. However, the Examiner stated that the Notice of Allowability could be faxed to applicants only after it has been mailed by the USPTO. The Examiner assured Ms. Marucci that the claims are allowed and that no further action is required of applicants.

During a July 12, 2004 telephone conference between Ms. Marucci and Examiner Guzo, the Examiner stated that the Notice of Allowability has been entered into the USPTO computer database but has not yet been mailed to applicants. Therefore, the Examiner stated that he still could not fax a copy of the Notice of Allowability to applicants. Ms. Marucci reminded Examiner Guzo that the inextendible deadline for filing a Notice of

Applicants: Ziv Sandalon et al.  
Serial No.: 09/068,293  
Filed: May 6, 1998  
Page 3

Appeal is July 13, 2004. The Examiner reassured Ms. Marucci that the claims are allowed and that no further action is required of applicants.

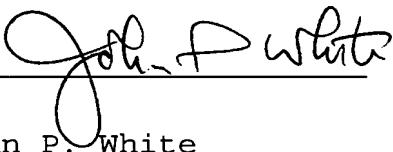
Accordingly, in reliance on the Examiner's assurances to Ms. Marucci, applicants will not file a Notice of Appeal in connection with the subject application and instead await receipt of the mailed Notice of Allowability in connection with the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Ziv Sandalon et al.  
Serial No.: 09/068,293  
Filed: May 6, 1998  
Page 4

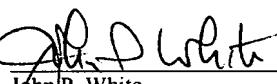
No fee is deemed necessary in connection with the filing of this Supplemental Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicant(s)  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



John P. White  
Reg. No. 28,678

7/13/04  
Date